HIGH COURT OF CHHATTISGARH, BILASPUR

Cr. Misc. Pet. No. 46 of 2007

Petitioners

1. Uday Prasad Shrivastava, aged about 36 years, s/o of Triloki Shrivastava, R/o Extension 2 Nagloi, Delhi 110 041.
2. Ishwari Prasad Shrivastava, aged about 28 years, s/o Triloki Shrivastava
3. Smt. Godavari aged about 50 years w/o Triloki Shivastava
4. Triloki Shrivastava, aged about 70 years s/o unknown
5. Navdeshwar s/o Triloki Shrivastava, aged about 40 years

(Petitioners 3, 4, 5 residents of village Amghat, P.S. And Tahsil & District Gajipur(UP))

6. Smt. Mayadevi w/o C.P. Shrivastava, aged about 40 years R/o village Bijuri Kapil Dhara Colony P.S. Bijuri, Tahsil Kotma, District-Anuppur(MP)

Versus

Respondent

Smt. Vibha Shrivastava, aged about 31 years, w/o Uday Prasad Shrivastava at present resident of Village Charcha colliery, Tahsil Baikunthpur, District Korea(CG)

Petition under Section 482 Cr.P.C.

Appearance:

Shri Ramakant Pandey, counsel for the petitioners.

ORAL ORDER
(11.07.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

This petition has been filed for quashing of the proceedings of Criminal Case (Complaint) No.103/2006, pending before the Court of Chief Judicial Magistrate, Baikunthpur,

(46)

District-Korea (CG) on the ground that the said Court has no territorial jurisdiction to entertain such complaint.

After arguing for some time, learned counsel for the petitioners prays for withdrawal of this petition with a liberty to file an appropriate application, challenging the territorial jurisdiction of the Court before the trial Court itself under the relevant provisions of Chapter XIII of the Code of Criminal Procedure.

The prayer is allowed.

The petition is dismissed as withdrawn with the aforesaid liberty granted in favour of the petitioners.

Sd/-
Sunil Kumar Sinha
Judge

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